

**WEST HARTFORD TOWN COUNCIL MEETING
MARCH 25, 2014
LEGISLATIVE CHAMBER**

ITEM #1: MEETING CALLED TO ORDER: 9:10 p.m.

President Slifka: Okay. We will call the Council Meeting to order and begin with the Pledge of Allegiance.

ITEM #2: PLEDGE OF ALLEGIANCE

President Slifka: Could we have a roll call, please, Ms. Labrot?

ITEM #3: ROLL CALL

Present were Councilors Chris Barnes, Shari Cantor, Harry Captain, Judy Casperson, Leon Davidoff, Denise Hall, Clare Kindall, and Scott Slifka. Burke Doar was absent. James Needham sat as an alternate.

President Slifka: Thank you, Ms. Labrot. We'll go to #4.

ITEM #4: APPROVAL OF MINUTES:

Councilor Cantor: I move that we receive minutes from public hearing February 15, 2014 on 2432 Albany Avenue, public hearing 2-25-14 on 1253 New Britain Avenue, and Town Council minutes from February 25, 2014.

Councilor Kindall: I'll second and I think the first one was February 25th. You said 15th.

Councilor Cantor: February 25th.

Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're up to public forum. Joe, pardon me, I have to ask you to – the sign-up sheet.

ITEM #5: PUBLIC FORUM

President Slifka: Okay, anybody who did not sign up who wishes to speak tonight on the agenda this evening that was not otherwise subject for public hearing now or in the future? Okay. Up to #6, report from the town manager. Mr. Van Winkle.

ITEM #6: REPORT OF TOWN MANAGER

Mr. Van Winkle: It's spring. We're all looking forward to warmer weather. The town has recently been asked to participate in a state conference because the state believes that we are a model for a community that has combined school and town services together. As you know, in West Hartford, we have combined every common service, most recently the IT service with the schools. We have one manager for that service as well as many others in West Hartford. There's really nothing left for us to merge with our school department. So the state thinks we do a wonderful job and asked us to participate and talk about how West Hartford does that. One of the hardest questions you get is well, how did you do that? Well, we just combined them. I'm sorry. It's not hard to do. It's just everybody sort of put down your swords and we'll be fine. So it's all working really well. Jared Morin will be speaking at that conference to talk about how our IT departments are now one single IT department for both board and school. You will receive in the mail shortly, all of our residents, a letter from the town saying that we have participated in a West Hartford Has Energy program. A vehicle has driven around the town and taken infrared pictures of all the homes in town and the – we are one of five towns in the State of Connecticut to receive this program from the state – the state-sponsored initiative. You'll get this letter and it will tell you – you can go online after supplying some information to them. Then they will send you a coded number that you can then enter into their system and you will be able to see a picture of your house. If it's bleeding heat in the middle of winter here, you'll be able to see those red areas and realize that there's an opportunity for you to save energy. So that will be coming forth pretty soon. There's also a phone number in that letter in case you don't – you're not online. West Hartford was again ranked as one of the best places to live in Connecticut by Movoto, a real estate, online company. It's sort of become old hat for us, hasn't it, that people think we're a great place. We always knew we were a great place and now the whole world's going to be turning and seeing it. It's construction season – it's about to begin. We're going to start tearing up our roads and repairing them. It's been a great pothole season for us as spring comes, we get the frost out of the ground. But construction's already beginning on Wood Pond Road and on Farmington Avenue. As we rebuild Farmington Avenue, heading for Prospect and MDC is still working on some of the sewer work and Farmington Avenue. So as we get to the warmer weather, it's good to see the construction out. I don't have anything else. If there are any questions, I'd be glad to answer them.

President Slifka: Any questions for the manager? Ms. Kindall.

Councilor Kindall: There's a large section of Trout Brook that had an MDC broken water main. And a fair number of our residents travel on that road. Can you give some idea of when that might be fixed and what needs to happen to that piece of real estate in our town?

Mr. Van Winkle: In the middle of winter, that water main break – we mostly get water main breaks in the winter because of the frost on the ground. And it was a sizeable break. It actually closed Trout Brook. In the middle of winter, it is not common to see hot patch, hot material to put back. If we put back cold patch on that road, they would have been there every day making

more repairs. They were able to get a company to create a hot material that went in. That is not a finished road. That was just a patch on that road. The road actually lifted, also, itself. And so I believe my public works director was out there recently with the MDC looking at the road, determining how they will come back and repair it. This road will get cut. It'll get material put in and then put back together again. So it was a sizeable thing that happened to it but it will be repaired shortly.

President Slifka: Okay. Anything else for the manager? Go ahead.

Councilor Hall: Ron, we had great discussion the other – just last night on inspections and one of the challenges of people who are selling their homes and they've got work done that was done without permits. And all of a sudden, they've got a closing in the next day or two and need to get that inspection. I wonder if you could just go over them because since this is spring, real estate – this may be a good place to warn our residents about the dangers of that.

Mr. Van Winkle: This is more common today. It's been several years we've been seeing this but when you go to sell your home, a buyer will hire a home inspector that will look at your home. He will test the electrical systems and other things in the building to make sure they are done correctly. If you have a spouse who is handy but only a little bit handy and doesn't get it right, he'll find that there's something wrong with the systems. They'll also check the building department to look at what permits were taken out so they can see what was done. And we have had, from time to time, someone call us and say we're supposed to close on Friday and I need a sign-off on what was done by my husband or my spouse. So we often can't do that. The wiring's in the wall, it's not such an easy thing to do so for homeowners that are selling their home and if they have had some work done without permits, it would be a good idea for them to get into the building department early, have them come out and inspect what you think might have been done without permits so that they can approve its installation.

President Slifka: Thank you, Ms. Hall. Anything else? I know Mr. Phillips is here and he's going to speak later so maybe later you could share your expert opinion as to whether spring is really here or not today. Okay. If nothing further, we'll move to #7. Mrs. Cantor?

ITEM #7: CONSIDERATION OF CONSENT CALENDAR

Councilor Cantor: I move that we place items 16, 18, 19, 24 through 36 on the consent calendar.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're up to unfinished business, #8. Mrs. Cantor?

ITEM #8: APPLICATION ON BEHALF OF SEARS, ROEBUCK AND CO. ("APPLICANT"), OWNER OF 1445 NEW BRITAIN AVENUE ("PROPERTY") LOCATED WITHIN SPECIAL DEVELOPMENT DISTRICT #6 (1445-1459 NEW BRITAIN AVENUE) ("PREMISES"). APPLICANT PROPOSES TO AMEND SDD #6 TO CONVERT APPROXIMATELY 8,437 SQUARE FEET WITHIN THE SOUTHWEST CORNER OF THE EXISTING SEARS BUILDING INTO A NEW RETAIL SPACE FOR CASUAL MALE RETAIL STORE, LLC ("DESTINATION XL") WHICH WILL REQUIRE CHANGES TO THE EXTERIOR OF THE BUILDING INCLUDING A NEW ENTRANCE, NEW WINDOWS, AND TENANT SIGNAGE FOR DXL MENS APPAREL.

APPROVED, VOTE 9-0

Councilor Cantor: I move that we adopt.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. Any discussion? If you – is that a yes? Mr. Davidoff, go ahead.

Councilor Davidoff: I want to thank the applicant for a very brief but thorough presentation this evening. I think it was pretty self-explanatory. I think the motion also included the waiver that the applicant is seeking with respect to the signage. The applicant alluded to the fact that there was a comprehensive recycling program in place and I really appreciate that. That's something we've been talking about the last few months at the council table. And there was an extensive discussion of the materials presented with respect to cardboard, plastic wrap, and hangers. And there is an economic incentive for businesses to fully engage themselves in a recycling program and it's encouraging to see that Sears Roebuck & Company is a leader in that area. And I would encourage other applicants to come before our council to get a copy of the plan that Sears has implemented. I think it's a good plan, a sound plan, a fiscally responsible plan. And on another note, I think it's really great to see as the retail climate is transforming in this country that Sears was able to find a retailer such as Casual Male to absorb some of the excess space to make the retail shopping experience better for the residents of our area. So I think it's a win-win all around and I'm very glad to see it happening here in our town, in our community. Thank you.

President Slifka: Thank you, Mr. Davidoff. Anyone else? Mrs. Casperson?

Councilor Casperson: Again, thank you for the presentation. I echo a lot of Councilor Davidoff's comments. Always looking forward to the fact that we're still investing in West Hartford and also in this very difficult economic condition for many that Sears is continuing to reinvent itself to be – to maintain its standing as a great retailer, especially in that plaza. So then

attracting new customers, also. And for that, it's also appreciated by all of the other businesses there, as well. So thank you again for that investment and I think that the design, as well, is very complimentary and really doesn't – it brings light to it but it doesn't highly impact that part of the plaza. So I appreciate the presentation and the thought and planning. Thank you.

President Slifka: Thank you, Ms. Casperson. Anyone else? Okay, with that, roll call please, Ms. Labrot?

Councilors Barnes, Cantor, Captain, Casperson, Davidoff, Hall, Kindall, Slifka and Mr. Needham voted YES.

Ms. Labrot: It's unanimous.

President Slifka: Congratulations. Congratulations, Mr. Needham, you get to go home. Thank you, Jim. Okay, we're up to #9, Mrs. Cantor?

ITEM #9: ORDINANCE CONCERNING MEDICAL MARIJUANA PRODUCTION FACILITIES AND DISPENSARIES

TABLED

Councilor Cantor: I move that we table.

Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. To new business, #10, Mrs. Cantor.

NEW BUSINESS:

ITEM #10: APPLICATION ON BEHALF OF HARVEST COUNTRY STORE, LLC AND SGL1, LLC, LESSEE AND OWNER, RESPECTIVELY, OF PROPERTY AT 161 OAKWOOD AVENUE, WEST HARTFORD ("PROPERTY") TO ALLOW THE RETAIL SALE OF BEER PURSUANT TO A GROCERY STORE BEER PERMIT UNDER C.G.S. § 30-20(B), NECESSITATING RELIEF FROM § 177-36 OF THE WEST HARTFORD ZONING CODE ("CODE") WHICH REQUIRES A 200 FOOT SEPARATION FROM THE FRONT DOOR OF THE GROCERY STORE TO A PUBLIC PARK WHERE ONLY 119 FEET IS PROVIDED. THIS APPLICATION SEEKS TO PLACE THE PROPERTY INTO A SPECIAL DEVELOPMENT DISTRICT TO

PROVIDE RELIEF FROM CODE § 177-36 AND TO PROVIDE GREATER CONTROL OVER THE USE OF THE PROPERTY.

(See Attachment A)

SET FOR PUBLIC HEARING ON MAY 13, 2014 AT 6:30 P.M. AND REFERRED TO TPZ AND DRAC.

Councilor Cantor: I move that we refer to TPZ, DRAC and set for public hearing May 13, 2014 at 6:30.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded and Mr. Van Winkle or Ms. Labrot were both – there was a – there is a resident who has been here in the past related to the subject matter of this who had a number of neighbors who have signed a petition and he came to us during a break and expressed that we get to them the information about the public hearing date once it's set. So I just ask – he said you had his contact information.

Mr. Van Winkle: I do.

President Slifka: Okay, thank you very much. Anything else? All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. #11, Mrs. Cantor.

ITEM #11: APPLICATION ON BEHALF OF SOF-IX BLUEBACK SQUARE HOLDINGS, L.P. ("BBS"), OWNER OF CERTAIN COMMERCIAL PROPERTY KNOWN AS "BLUE BACK SQUARE" AND INCLUDING 40 SOUTH MAIN STREET, 65 MEMORIAL ROAD, 85 MEMORIAL ROAD, 38 ISHAM ROAD AND 75 ISHAM ROAD (THE "PREMISES") TO AMEND THE CONDITIONS OF APPROVAL FOR SDD #113 TO GRANT GENERAL PERMISSION FOR OUTDOOR DINING AS AN ACCESSORY USE THROUGHOUT THE PREMISES, BUT IN EACH INSTANCE SUBJECT TO AND CONDITIONED UPON SUBSEQUENT APPROVAL AND PERMITTING OF EACH SUCH PROPOSED ACCESSORY USE UNDER ONE OF THE FOLLOWING SECTIONS OF THE WEST HARTFORD CODE OF ORDINANCES (THE "CODE"): § 177-37.2, § 155-26, AND § 177-6(C).

(See Attachment B)

SET FOR PUBLIC HEARING ON MAY 13, 2014 AT 7:00 P.M. AND REFERRED TO TPZ AND DRAC.

Councilor Cantor: Yes, I move that we refer to TPZ, DRAC, set for public hearing May 13, 2014 at 7:00 p.m.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. Any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. #12, Mrs. Cantor.

ITEM #12: ORDINANCE REVISING PROCEDURES FOR OBTAINING DRIVEWAY PERMITS.

SET FOR PUBLIC HEARING ON APRIL 10, 2014 AT 5:50 P.M.

WHEREAS for many years the Town has required contractors to obtain licenses before working on curbs, gutters or sidewalks within the Town's public street rights of way; and

WHEREAS licensed contractors are also required to obtain permits for individual projects within the Town's street rights of way; and

WHEREAS these permits are often obtained in conjunction with private driveway installation, modification or repair; and

WHEREAS the repair of driveways sometimes results in a change of size, shape, location, slope or pitch which can direct increased runoff toward neighboring property; and

WHEREAS the Town's current system of licenses and permits does not clearly address the range of problems which driveway installation, modifications or repairs may cause

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT Article V of Chapter 155 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

Article V: Laying of Curbs, Walks, Driveways and Combined Curbs and Gutters

Section 155-14. License Required

No person shall lay in any public [highway]street any new curb or walk or driveway or combined curb and gutter or relay any existing curb or walk or driveway or combined curb and gutter, unless such person shall be licensed as a curb, driveway and walk layer as provided in this

article, but the provisions of this article shall not prevent the making without such license of minor repairs to an existing curb or walk or driveway or combined curb and gutter by the owner of the property in front of which such curb or walk or driveway or combined curb and gutter is located, or by such owner's agent. For purposes of this article, the term "driveway" shall mean any vehicular travelway serving one or more parcels of property other than a public street.

Section 155-15. Qualifications of Licensee

The Director of Community Services may issue a license required by § 155-14 to any person believed by the Director to be entirely suitable and competent, who shall apply on forms provided for this purpose and shall comply with the conditions governing said license. The fee for issuance of a license shall be fifty dollars (\$50).

Section 155-16. Liability Insurance; Application Information

A. Every person making application for a license as a curb, driveway and walk layer required by §155-14 must file with the Director of Community Services and maintain during the duration of said license a public liability insurance endorsement describing coverage for any activity within the rights-of-way of the Town of West Hartford, including but not limited to excavation, grading, modification of the Town's existing infrastructure and installation of extensions or improvements thereto and a satisfactory bond of a surety company authorized to do business in the Town in the sum of \$10,000, conditioned substantially that:

(1) The applicant shall indemnify and save harmless the Town and the Director and agents from all suits and actions of every name and description brought against the Town or any officer of the Town for or on account of any injuries or damage received or sustained by any person in consequence of or resulting from any work performed by the applicant, the applicant's servants or agents or of or from any negligence in guarding said work or of or from any act or omission of the applicant, the applicant's servants or agents.

(2) The applicant shall faithfully perform the work in all respects and shall also replace and restore that portion of any street in which the applicant, the applicant's servants or agents shall make excavation to as good condition as that in which the same was before the work was performed.

B. The applicant shall state in the application the applicant's actual place of business, together with the name under which the business is done and shall notify the Director of Community Services of any change in either thereafter.

Section 155-17. Duties of Applicants

A. Each applicant for a license required by § 155-14 shall comply in all respects with the rules and regulations established by the Director of Community Services relative to such work

and with the terms of the permits which may be issued [to]by the [Director]Town Engineer and shall also pay all fines imposed for violation of any such rule or regulation.

B. The applicant shall give personal attention to the work done under the license and shall employ thereon none but competent workers.

Section 155-18. Suspension or Revocation of License

Whenever, in the opinion of the Town Engineer, any curb, driveway and walk layer licensed as required by § 155-14 violates any of the provisions of this article or the rules, regulations and specifications adopted by the Director of Community Services, the Town Engineer shall report the same to the Director, and if the Director shall find that the charges are well founded, the Director may suspend or revoke the license of such curb, driveway and walk layer.

Section 155-19. Expiration of License

All licenses required by § 155-14 shall expire on December 31 next following their date of issue, unless sooner revoked.

Section 155-20. Permit Required

No person [licensed as a curb and walk layer shall] may commence any new work upon any street or driveway until such person has obtained a permit[shall have applied for and secured] from the [Director of Community Services]Town Engineer[a permit] for doing such work. The fee for issuance of a permit shall be fifty dollars (\$50) per location.

Section 155-21. Permit Application; Contents and Procedure

A. Applications for permits required by § 155-20 must be made on forms provided for this purpose and must be signed by the curb, driveway and walk layer or authorized agent. Such forms shall specify the ownership and location of the property where the work is to be done[and]. Where the work involves construction or reconstruction of a private driveway, the property owner shall also sign the application. The application shall contain an agreement to be signed by the curb, driveway and walk layer that said curb, driveway and walk layer: (1) will do the contemplated work in accordance with this article[and], the rules and regulations of the Director of Community Services and the Town specifications pertaining to such work within the public street right of way; and (2) will indemnify and save harmless the Town from all damage caused by the curb, driveway and walk layer's acts or omissions while acting under the permit applied for.

B. All applications for permits required by § 155-20 shall be submitted to the Town Engineer. Where the work involves construction, modification or reconstruction of a private driveway, the Town Engineer shall refer such application to the Zoning Enforcement Officer for

the purpose of ensuring that the driveway complies with the requirements of Chapter 177 of this Code of Ordinances.

Section 155-22. Permit to be Maintained on Grounds; Display

The permit required by § 155-20 must be on the grounds during the continuance of the work for which it was issued and must be shown to all authorized persons when required.

Section 155-23. Supervision and Inspection

The Director of Community Services or authorized agents shall supervise and inspect the construction of all new curbs, walks, combined curbs and gutters[, driveways] and all other work of a similar nature laid within the public street right of way under the provisions of this article, but such supervision and inspection shall not relieve the contractor from any obligation to perform the work strictly in accordance with the rules, regulations and specifications of this article or established under same or from responsibility which the contractor is expected to assume.

Section 155-24. Contractor's Guaranty

The contractor shall guarantee to the Town any work performed within the public street right of way by said contractor under the provisions of this article for a period of one year after completion against any failure caused by defective materials or defective work and will make good at the contractor's own expense such defects, if so ordered, to the satisfaction of the Director of Community Services.

Section 155-25. Work Standards and Specifications

The Director of Community Services is authorized and empowered to adopt, from time to time, such rules, regulations and specifications for the conduct of the work provided for by this article within the public street right of way as he or she may deem for the best interest of the Town, subject, however, to the approval of the Town Council.

Deleted language in brackets. Additional language is underlined.

Councilor Cantor: I move that we set for public hearing April 10, 2014 at 5:50.

Councilor Kindall: I think it's driveway permits.

President Slifka: You are correct.

Councilor Cantor: What did I say?

Councilor Kindall: Driving permits.

Councilor Cantor: Driveway – I already said driveway.

President Slifka: You must have four boys.

Councilor Kindall: I think she must have four boys.

Councilor Cantor: Yeah, I guess. Driveway permits.

Councilor Kindall: Second.

President Slifka: Okay, any discussion? All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. #13, Mrs. Cantor.

**ITEM #13: ORDINANCE PERMITTING RESIDENTIAL DWELLINGS WITHIN THE
IG AND IR DISTRICTS.**

**SET FOR PUBLIC HEARING ON MAY 13, 2014 AT 7:15 P.M. AND REFERRED TO
TPZ AND CRCOG.**

WHEREAS traditional zoning concepts emphasize the separation of uses which have historically been considered to be incompatible; and

WHEREAS since zoning regulations first came into effect, a variety of factors have changed which now challenge the need for such separation; and

WHEREAS recent trends in zoning demonstrate the success of “mixed-use” projects in a broad range of settings; and

WHEREAS the Town’s Plan of Conservation and Development has specifically recommended “Promot[ing] private investment and redevelopment of underutilized properties to achieve a higher level and quality land use, particularly in the south east area of Town”; and

WHEREAS the Town’s Plan of Conservation and Development further recommends “Adopt[ing] land use regulations which will encourage and provide broader opportunities for private redevelopment in the southeast area”; and

WHEREAS the Town's Plan of Conservation and Development recommends that the Town "[c]onsider revisions to the zoning regulations to permit a greater diversity of housing types and costs"; and

WHEREAS amending the Town's zoning ordinances to permit residential uses in the IG and IR districts as a component in mixed use development projects would promote housing opportunities which are currently unavailable in our community; would take advantage of transit development projects currently underway; and would be consistent with the Town's Plan of Conservation and Development; and

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT:

Section One: Section 177-3 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

The following types of districts, as shown on the Zoning Map referred to in § 177-4 and the Zoning Map, Town of West Hartford, Connecticut, are hereby established for the purposes described generally below as part of the Comprehensive Plan for the Town of West Hartford:

A. The predominant character of the Town as it exists and as planned is one-family residential, but it is the intent that there be a variety of types of residential environments to meet the variety of needs and desires of the Town's residents and also to recognize the prevailing character of certain existing residential areas which fit into the Comprehensive Zoning Plan. The variety of residential characters is intended to be accomplished through a range of one-family district densities and standards, as well as by a limited amount of area set aside for multifamily residential structures.

(1) One-family residence districts.

(a) The purpose of the following types of one-family residence districts is to provide areas for those residents who desire individual dwelling structures surrounded by open space which can be landscaped and developed with facilities for outdoor family living and where there is generally less traffic and relatively greater quiet. In keeping with these purposes, it is intended that nonresidential uses in such districts be limited to those which are primarily necessary or desirable to serve the residents of these districts and are compatible with residential uses when located in their midst. Only those nonresidential uses listed as permitted in each district are considered to be compatible.

(b) The types of one-family residence districts, which vary only in the minimum requirements for lot area, dimensions and other spatial standards, are as follows:

District Square Feet of Lot Area Per Dwelling Unit

R-80 80,000 (may be developed only as open space development as set forth in §§ 177-13 and 177-14)

R-40 40,000

R-20 20,000

R-13 12,750

R-10 10,500

R-6 6,000

(2) Multifamily residence districts.

(a) The purpose of the multifamily residence districts is to provide areas for those residents who cannot or do not wish to have personal responsibility for the maintenance of residential property or who cannot assume financial obligations of owning or maintaining individual residential dwellings or who, for other reasons, prefer the more urbanized environmental character associated with multifamily residential areas. As in one-family residential areas, it is intended that nonresidential uses be limited to those necessary or desirable and compatible in the midst of residential areas and only those uses listed as permitted and as regulated in such districts are considered to be compatible.

(b) The types of multifamily residence districts, which vary primarily in minimum requirements for lot areas, dimensions and other spatial standards, are as follows:

District Square Feet of Land Area Per Dwelling Unit

RM-4 Multifamily 4,000
Residence

RM-3 Multifamily 3,000
Residence

RM-3R Multifamily 3,000 and a maximum of 2
Restricted Residential dwelling units per lot

RM-2 Multifamily 2,000
Residence

RM-1 Multifamily 1,000
Residence

RM-MS Multifamily, 1,000
Multistory Residence

RO Residence-Office District 1,000

RP Residence-Parking 3,000

B. Business districts. The business districts contained in this chapter are established in order to provide for a variety of areas to serve the diverse needs of the Town's population and business community. Only such uses are permitted in the business districts which are mutually compatible and which serve best the specific functions which the various districts are intended to fulfill.

(1) Office District (BO). The purpose of this district is to permit office development generally on the periphery of larger business centers and thereby to create a gradual transition from the activities of the business center to the relative quiet of the surrounding residential areas. Since this district will generally be established in what have been residential areas adjacent to business districts, residential uses are permitted. Parking of motor vehicles is also permitted as a principal use in proper locations for parking facilities serving an adjacent business center.

(2) Office-Laboratory District (BOL). The purpose of this district is to permit the development of selected office and laboratory uses on large tracts, generally not available in the other business districts. Whereas such tracts are usually found in the vicinity of residential neighborhoods, particularly high standards are required in this district to assure the harmonious integration of this type of development into the surrounding neighborhoods. Relatively low intensity of land usage and a park-like setting are primary characteristics of this district. This district is intended to be properly related to the major road system of the Town.

(3) Neighborhood Business District (BN) and Neighborhood Business Design District (BND). The purpose of these districts is to provide convenience goods and services for the neighboring residential areas. Accordingly, the commercial uses permitted are intended to be those which provide for the daily needs of neighboring residents and which do not depend on market areas substantially larger than the neighborhood the district is intended to service. Residential uses are also permitted, recognizing the existing development in these districts. The area of each Neighborhood District is intended to be limited to fulfill this function of local service.

(4) Shopping Center District (BS). The purpose of this district is to encourage the concentration of a wide variety of stores, services and activities serving the entire Town as major shopping and community centers. This district is intended to be properly related to the major road system and, if possible, served by public transit. Residential uses are permitted only as far

as they are compatible with the activities of this district. Shopping Center Districts are subject to higher standards than the Retail Business Districts because they are usually new developments on larger, single-owner tracts where the application of such higher standards is practical and desirable to achieve a high quality of development.

(5) General Business District (BG). The purpose of this district is to provide areas for the development of such commercial uses which are considered necessary to serve the residents and businesses of the Town but incompatible with the functions of the other business districts. Wholesaling, storage and other uses which do not normally attract the general public and automobile sales and services are the characteristic uses of this district. Recognizing historical development patterns and the desire to promote mixed uses which will bring vitality to business districts after the end of the traditional work day, the permitted uses of the Central Business Districts are also permitted in the General Business Districts. Additionally, while ground floors are to be reserved for permitted commercial uses, dwelling units are permitted on upper floors.

(6) Central Business District (BC) and Central Business District-High Intensive (CBDH). The purpose of these districts is to encourage the concentration of a wide variety of stores, services and activities, including large stores offering comparison shopper's goods, specialty stores, business services, banks, offices, theaters, hotels and government buildings. This area serves all areas of West Hartford as well as surrounding communities. The use of land is intensive, and this intensity of use is one of the main determinants of the vitality of the Central Business District. Pedestrian-oriented uses are encouraged on the street level to ensure this intensity of use. Residences, professional offices and other uses compatible with the retail nature of the Central Business District are permitted, although it is recommended that these uses occur on upper floors of buildings. The Central Business District-High Intensive designation is to be applied to areas adjoining the Central Business District where more dense development can take place than in the BC Zone. Factors relevant to the designation of the CBDH Zone are the nature of the land uses surrounding the proposed zone, the presence of infrastructure to support a more intensive use, especially parking facilities and traffic control capabilities, and the Plan of Development's determination that the scale of West Hartford Center itself not be changed.

C. Industrial districts. The industrial districts contained in this chapter are established in order to encourage the best possible use of the limited amount of industrial land in the Town, in order to increase the opportunity for employment and to broaden the tax base and in order to achieve a logical and orderly separation of land uses. [Residential uses are excluded from all industrial districts, as the activities in industrial areas are not conducive to good residential environment, and the existence of residential uses can hinder and impede industrial development of the limited amount of land available for such use.]

(1) Industrial Park District (IP) and Exclusive Industrial District (IE). The purpose of these districts is to reserve for industrial development areas which have predominantly been developed industrially, so that modern industrial development will not be impaired by the presence of nonindustrial uses. The district regulations provide for minimum lot area requirements in order to

preserve the generally large tracts, which are typically found in these districts and which are considered essential for modern industrial development. Higher standards apply for the Industrial Park District because this district is largely adjacent to existing residential areas.

(2) General Industrial District (IG) and Restricted Industrial District (IR). These districts recognize development patterns prevailing in several sections of the Town's older industrial areas. Mixed residential, commercial and industrial land uses are characteristic for these areas, as well as the relatively small size of a majority of the properties. The purpose of these districts is to provide for the continued coexistence of the residential, commercial and industrial uses while continuing to emphasize that these districts are primarily commercial and industrial in nature[, while encouragement is given to the gradual elimination of the residential uses]. The residential and commercial uses are considered essential to support and serve the industrial uses in [this] these districts as well as in the Industrial Park and Exclusive Industrial Districts, where no residential or commercial uses are permitted. To further these objectives, residential uses are permitted only as a component in development projects which contain a mix of residential and non-residential uses. Higher standards apply to the Restricted Industrial District for the purpose of protecting the numerous dwellings found in this district[which are expected to coexist with industrial uses for some time].

D. Other districts.

(1) Residence Parking District (RP). The purpose of this district is for the development of parking facilities adjacent to business and industrial districts, where the extension of other business activities would be detrimental to adjacent residential areas. A high degree of control over the parking layout is necessary because of the proximity of parking and residential uses.

(2) Residence-Office District (RO). This district is established in recognition of areas where residential, institutional and office uses coexist. These areas are typically in a stage of transition from one-family dwellings to a use of higher intensity and density. The standards established by the regulations of this district are intended to make the various uses mutually compatible.

(3) Residence-Institutional District (RI). This district is established in recognition of the areas where residential and institutional uses may coexist. The purpose of this district is to provide a transitional area of relative quiet and light traffic which would be advantageous to institutions, such as convalescent homes, homes for the aged and public, private or parochial schools or colleges.

(4) Residential/Multifamily-Office District (RM/O). This district is designed for land where residential structures in close proximity to major business zones have been converted to mixed office/residential uses and along and near major traffic arteries in primarily residential areas. In order to maintain the primarily residential character and uses of these areas in spite of these factors, certain types of professional offices may be established with a special use permit as set

forth in § 177-16.3 of this chapter. Maintaining the residential character also requires owners to limit the changes to buildings and to keep signs muted in tone.

(5) Residential Character-Office District (RCO). This district is established in recognition of areas where residential structures coexist with institutional, office and business uses. These areas are typically in a stage of transition from one-family dwellings to a use of higher intensity and density. The standards established by the regulations of this district are intended to make the various uses mutually compatible. To further enhance compatibility, professional offices may be established subject to the provisions of § 177-16.3 of this chapter requiring the preservation of the residential character of the building.

(6) Elizabeth Park Zone (EP). This district is established in recognition of the unique recreational opportunities which may be afforded to the public in Elizabeth Park. It is appropriate to permit food service and public or private meetings, including the provision of outdoor dining opportunities and walk-up window service within Elizabeth Park. If these uses are established within the zone, they shall be held to higher standards and subjected to stricter review than would be applied to similar uses in commercial zones. Food service and public/private meeting facilities together with accessory outdoor dining and walk-up window food service shall, therefore, be permitted in the EP Zone only upon approval of a special development district plan pursuant to § 177-44. The standards applicable within the EP Zone shall be those set forth in § 177-6D with respect to property located within the R-10 Zoning District.

Section Two: Section 177-6 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. No structure shall be used, erected or expanded, and no land use shall be established or expanded, except in accordance with this chapter. The schedules contained in this article list permitted uses of land and buildings and the maximum height of buildings, the required yards, open space, area of lots and other requirements for the various districts in this chapter.
- B. Schedule of Permitted Main Uses.
- C. Schedule of Permitted Accessory Uses.
- D. Standards for the One-Family Residence Districts.
- E. Standards for Multifamily Residence Districts.
- F. Standards for Business Districts.
- G. Standards for Industrial Districts.

Section Three: Section 177-11 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

A. The standards of the R-6 District shall be met for single-family residences in the RM, RM/O, BO and BN and BND Districts. The standards of the RM-1 District shall be met where a lot in the BO, BN, BND, BC or RM/O District is used for multifamily residential purposes only, except that requirements for side and rear yards of the district in which said lot is located shall apply if the wall of a residential building contains no windows of habitable rooms.

B. The following standards shall be met where a lot in the BO, BN, BND, BC, BG or RM/O District is used for residential and business purposes:

(1) The requirement for lot area per dwelling unit, usable open space per dwelling unit and maximum height shall be those of the RM-1 District.

(2) The yard requirements shall be those of the district in which said lot is located, except along all building walls containing windows of habitable rooms of dwelling units where the yard requirements of the RM-1 District apply.

(3) The requirements for maximum floor area ratio and maximum lot coverage of all buildings shall be met separately for the residential and business uses. For this purpose, the land area available for business uses shall be the difference between the total lot area and the area required for the residential uses.

(4) In the BG zone, dwelling units may only be established on floors above the ground-floor level.

C. The following standards shall be met where a lot in the IG or IR District is used for mixed residential and business purposes:

(1) The requirement for lot area per dwelling unit and usable open space per dwelling unit shall be those of the RM-1 District.

(2) The yard and screening requirements shall be those of the IG District for Yards and Screening Adjoining Residential Districts.

(3) The maximum floor area ratio shall be 1.0.

(4) The requirements for maximum floor area ratio and maximum lot coverage of all buildings shall be met separately for the residential and non-residential uses. For this purpose, the land area available for non-residential uses shall be the difference between the total lot area and the area required for the residential uses.

Deleted language shown in brackets. Additional language underlined.

(See Attachment C for Schedule of Permitted Main Uses and Standards for Industrial Districts.)

Councilor Cantor: I move that we refer to TPZ, CRCOG and set for public hearing May 13, 2014 at 7:15.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. Any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. #14, Mrs. Cantor.

ITEM #14: ORDINANCE PERMITTING CERTAIN EXEMPTIONS FROM MAXIMUM BUILDING HEIGHT REQUIREMENTS.

SET FOR PUBLIC HEARING ON MAY 13, 2014 AT 7:20 P.M. AND REFERRED TO TPZ AND CRCOG.

WHEREAS modern building systems and construction practices require the installation of equipment between the floors in multi-story buildings; and

WHEREAS this equipment increases the overall floor-to-floor height required to construct a modern building; and

WHEREAS current ordinances do not adequately allow for these increases in the need for additional overall building height

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT section 177-21 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

The height limitations of this chapter shall not apply to church spires, belfries and domes not used for human occupancy nor to chimneys, skylights, water tanks, bulkheads, antennas, air-conditioning equipment, ventilating equipment or elevator lift equipment, including their enclosures, parapet walls above actual roof height and similar features usually carried above the roof level, except as may be specifically modified by other provisions of this chapter or other regulations. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are intended to serve.

Proposed additions are underlined>.

Councilor Cantor: I move that we refer to TPZ, CRCOG and set for public hearing May 13, 2014 at 7:20.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. Any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. #15, Mrs. Cantor.

ITEM #15: RESOLUTION IMPLEMENTING PARKING RATE ADJUSTMENTS

ADOPTED

NOW BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the parking rates being charged by the Town shall be adjusted as follows:

1. Metered parking rates shall be increased from \$1.00 per hour to \$1.50 per hour.
2. The rate for parking within the Town's unmetered parking lots will be \$1.50 per hour but patrons who leave the lot within 30 minutes of entry will not be charged.

Councilor Cantor: I move that we adopt.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. Discussion? Mr. Van Winkle, I see Phillips is making his way up.

Mr. Van Winkle: John Phillips, our director of public works our esteemed director of public works who kept his snow budget – his snow plowing within budget this year despite the season – is here to talk about this.

Mr. Phillips: Good evening, council. We have a great West Hartford center. We truly do. Ten years ago, you asked me to take over the legacy of West Hartford center and manage it to the next generation. Since then, we've added two parking garages. We've added a number of on-street parking spaces. We've added a complete new development of stores, retail spaces, restaurants, and professional services square footage. Back in 2005, we developed a pro forma budget of this new plan, working together, joining Blue Back Square to West Hartford center.

And in that plan, we had a contingency of developing the financial stability of the plan of throughout the bonding – 20 years of bonding for the garages that were constructed. In that plan, there was a scheduled rate increase. That was supposed to be around 2012. What that triggered in the DPW and the parking management office is to evaluate our parking rates and the need for that increase and the need sustain the budget for years to come and to pay the debt service that the garages are under. We took a long, extensive evaluation. It took us approximately a year and a half. We utilized the services of two financial directors and we came up to a couple conclusions that are before you tonight in a resolution. The popularity of our center, we see roughly 70,000 cars a month into the center that all look for the same parking spot. We service 250 retail, restaurant, professional service spaces. So it's very vibrant and the parking management model that West Hartford sees today has been around since roughly 1990. It's obviously grown. And just – we've reached one of those points of growth that to sustain what we feel and how we manage the center – everything goes around us and that makes it a popular destination not only just locally but regionally. Tri-state you could even call it – Massachusetts, from New York State. We see a number of visitors that come from these areas to visit West Hartford center. Our proposals in resolution really comes to you as 20% of our spaces pay less to park than 80% of our spaces. Those 20% spaces, though, represent the most valuable spots we have in the town center and that's on-street space. Anybody who is out for a destination in the downtown area know the on-street spaces where they want. The psyche of the parker wants to know where their vehicle is in close proximity to where they are and unfortunately, the way the square mile of the West Hartford center-Blue Back Square, we only have 500 spaces there which only represents 20% of our parking inventory. Yet it is the cheapest space we have. Analogy of a concert, it's the front-row seat of the concert yet we charge less for that seat and our nosebleeds we charge the most for. So in evaluating that, again looking at the pro forma, we didn't want to raise rates in our off-street locations, in our 80% of the other pieces of parking. We didn't want to raise our permit rates. We thought those rates are reasonable and marketably fair to what the market would bear. Same thing with our off-street rates. So we looked at, again, the whole program beyond just what the bonds need for our garages and looked for our rate in other revenue sources where we think is more fair and equitable to the whole system performing well and supporting each other; both our parking and the garage bonds. And so I come before you tonight for a – requesting \$1.50 rate per hour on our on-street meters which will equalize it to our off-street rates that we currently use. And again, 80% of our users currently experience and pay for – to – when they come and visit West Hartford center. The other request is – and this goes back to the hearings that I was a part of at least and listening – was to preserve the rate structure of West Hartford center. There was an adamant – there was a very prudent call from the current merchants and the existing representatives – some of them still exist today. And preserving that 30 minutes of free parking. We're still preserving that in this request, however, instead of that 30 minutes falling through the rate structure as it does, we're stopping it at the 30 minutes – you must leave before 30 minutes to receive it. So all the users who want that 30 minutes and take advantage of 30-minute free parking will still have that. So if you come into Pfau's, you'd be coming to the bank or you go to the pharmacy, CVS in the Brace Road lot or other quick services that the Farmington Avenue lot services, you'll still be able to come in and out and not have to pay for parking as you do – have been for many, many years. But beyond that 30 minutes, you'll

join the normal rate structure as everybody else – again, equalizing our policy of all our rates. We think that's fair and equitable and by our experience as to who's using our lots and length of stays, most that are leaving after one hour, two hours, three hours, aren't even realizing they're receiving that free half hour, if you would. It's just built into the rate structure cause of the way we have it. So those are the two recommendations we have before the resolution. I'll be happy to take any questions about a very complicated system.

President Slifka: Thank you, Mr. Phillips. And I'd share in the manager's recognition of your great work this winter under very difficult circumstances. Could you talk about the – what happens if you don't do – if we don't do this? I know that was something that's been discussed in committee but obviously this is – however modest an increase we might make, I'm sure all nine of us will hear about it. It's not a popular thing to do but it – from what we've heard, it's a necessary thing to do. I know, Mr. Van Winkle, you can chime in, as well. But I know there were a number of options discussed as to what the alternatives were but also there is a big downside if we – it weren't...

Mr. Van Winkle: I'll let John talk about the parking but when we bought the garages in Blue Back Square, we issued general obligation bonds for those garages and those bonds are being paid off by extra tax that Blue Back Square pays. They pay their full property tax – about 3-1/2 million dollars and then they pay on top of that an additional 1.7 million dollars in additional tax – that those dollars go to pay off the bonds for the purchase of those garages as well as the revenues that come out of the garages. We operate those garages and we receive revenue and incur expenses. The profits made from those also go to pay off those bonds. The original plan for Blue Back Square was to – the financial plan was to look at increasing our parking rates every five years to make sure that we continued to generate the revenue out of the commercial center and not go to the general taxpayer to pay for the investments we have made in those structures. So we are now a little late on that. Five years would have been a little over a year ago. We would have looked at increasing rates – the economy was still a little bit weak and so we held off on that. We're in good shape with our finances but we need to do this. If we weren't to do this, we would have to turn to the general taxpayer in about two years. So this increase is an effort to continue to do what we said we would do – would be to pay off those bonds with the revenue out of the commercial center, not out of the taxes of the general property taxpayers. And John can sort of talk about, again, what we looked at when we did this rate structure.

Mr. Phillips: Yeah, to talk on top of Ron, since 1990, when the enterprise budget was created for municipal parking which was just the center, it's been independent of the general tax fund, proudly. Everything that happens in West Hartford center is really a result of the revenues generated from the users of the center – the parkers. Because of its heavy use, there is more going on, just like a typical building. Your carpet wears out quicker. So things wear out faster because of its use. The dollars are reinvested in the center, the beautification, the landscaping, security has been paid for, the West Hartford PD initiatives, the snowplowing, the snow removal, tree trimming, everything. The lights are all metered, paid for by prime bill-to parking. Really the one-square-mile area runs independent from the general fund. So it's a very important issue

and I think really a model to what a lot of communities want to do. But again, getting into that paid parking realm which is obviously risky business, both politically as well as business-wise. Our on-street space gets used. Most of our street spaces, most desirable, Farmington Avenue, LaSalle Road, Isham, Memorial Road, we operate at 99% to 100% occupied during our peak hours because of our rates. They're cheap and they're accessible. And then those parking spaces get locked up and one of two things happen. Either the parker gets frustrated and just continues to lap around the town waiting for a spot to open up or they do decide to go to a parking garage or they possibly leave. Those are the scenarios that really a parker who can't find an on-street space have – will do that. We think this rate structure will use economics to spread our cars out, move them to our garages which would increase occupancy which, again, bonding and stuff we would look to hope for – to increase our revenue at the garage level. Open up on-street spaces to those who are looking for and don't want to park in a garage but are willing to pay for that on-street space. Ideally in the industry, you want to see an 85% occupancy rate on your street. So you always have six or seven spaces per block open for somebody to utilize. And we think due to the popularity of the center, the cars that we see just frequently coming through that we think the people that do decide to move to a garage or move – do something else, will open those spaces to people who want to be here and who are willing to pay for the services that we provide and the destination that is provided. Really – parking really is just a destination to something else so municipal parking – West Hartford's parking is just fortunate that our destination happens to be a premier destination. And we get to capitalize on that but we work hard to return that. We proudly work at cutting that cost of operations. Connecticut – a little fact here, is the home to many large parking operations that are worldwide operations on the New York Stock Exchange with ProPark and Laz Parking. Very good and great operators. I like to think that West Hartford parking could compete with those at our scale. But we operate – and that cost of operation – we're not looking for a profit. We just want to maintain what we have to do but unfortunately the business of parking is high capital and high labor. And those costs obviously continue to rise and we've been able to sustain our costs for a number of years. But, again, this is an effort to continue to look forward and to keep this enterprise bond sovereign so we're not looking to the general fund to do any kind of piggyback in the supporting of the activity we do in West Hartford center.

President Slifka: Could you address the timing in particular – when – if this is enacted, when the rates would be effective and how that matches up with the installation of the kiosks because while the rate might be considered low, it also – right now, the only way to pay for it is with four quarters and this would be six and those are not necessarily abundantly in everybody's pockets.

Mr. Phillips: Well, rate increase or no rate increase, we're moving ahead with the kiosks. We're well underway, in the middle of our planning and educational stage of first educating the staff, starting and looking at and developing our educational campaign to the public. So that looks to be on track for a May-June-1st launch of getting the kiosks on street and up and running. So with or without the resolution of the rate increase, the kiosks are coming cause that was a customer service decision because even at a dollar per hour and people wanting to buy two dollars' worth of parking or two hours' worth of parking, or even come back and buy more because they found

themselves just staying in the center longer, you either don't have enough quarters or you run out of quarters and then you get a ticket for what? Not having quarters. We want to get past that. We don't want to enforce. We really would rather just people comply to the ordinances that we have with the paid parking program and go about your business and enjoy the center and not think about the parking piece. The kiosks will bring us there. The rate increase support what we're talking about now. It's a financial decision that we must make like in any business we have to make with the cost of business rising and you want to sustain your costs and sustain your business plan. So they're really – although they're going to be seen and delivered simultaneously, when the kiosks go up, the rate increase will be incorporated with the new kiosks, they are two separate initiatives working independently but will be joined together. And that's just an administrative decision to – we know that this isn't going to be a great-tasting apple to bite but it's an apple bite that we have to take. So we roll out the change of a new technology – whenever you put people in front of technology, there will be issues and challenges and a learning curve on top of the rate increase that, again, will not be very popular but a necessary means to maintain what we have. And we think that the rate increase is very reasonable in conjunction with what we think is going to be a very exciting opportunity to that new wave and that next generation of parking management.

President Slifka: Thank you. Mrs. Kindall?

Councilor Kindall: So just to follow up on the mayor's question, we're not raising the rates in order to pay for the kiosks, correct?

Mr. Phillips: We are not, no. The kiosks are being paid for out of the parking lot fund – out of its own reserve and capital funds that we do have set aside. And the kiosks are coming with or without a rate increase.

Councilor Kindall: Thank you.

President Slifka: Mr. Captain?

Councilor Captain: Thank you, Mr. Mayor. Mr. Phillips, can you remind me what the fees are for the parking garages so I can get an idea of your analogy of the front row versus the midsection versus the nosebleeds?

Mr. Phillips: Our off-street parking garages are \$1.50 per hour with a maximum daily rate of \$7; where on-street parking is \$1 per hour.

Councilor Captain: I'm just trying – is there a differentiation between the surface lots and the actual garages.

Mr. Phillips: The only difference between the surface lots and the garages is that – which is in this resolution – is the 30 minutes of free parking. Right now, the 30 minutes follow the rate

structure so four hours of parking in a garage, you reach the \$7 max. Four-and-a-half hours of parking in the surface lot, you reach the \$7 daily max. We're looking to change that – where you reach it at the same time but still maintain the free parking for those who utilize it and expect it – people going to Pfau's, going to Quest Diagnostics for a blood, the banks and those quick, grab a cup of coffee at Cosi's or any other restaurant that services those surface lots. You'll still have that free half hour. But when you extend past that half hour, you join the normal rate structure by policy – equalization.

Councilor Captain: I believe – I heard about possibly changing the validation program at the library. Is that being considered or not?

Mr. Phillips: It is being considered and again that's a hard analysis that we're looking at – our usage. It's well known that it's abused. It's abused. It's on Facebook how you can get two hours of free parking out of West Hartford parking. We see it in our numbers. We see it in – just intuitively from who's giving us that ticket that's validated. Typically not a family or somebody with books in their hands on the front seat. They're dressed uniformly – to be polite and not to point fingers – but yet they have a validated ticket and it's very difficult for our frontline employees to get in that confrontation – to be judge and jury and adjudicate the validity of a validation at that point in time.

Councilor Captain: Thank you.

President Slifka: Mrs. Hall?

Councilor Hall: And maybe this is a question for the manager but – because this was before my time on the council. When we first issued the bond to build the parking lots – I know we didn't issue revenue bonds because that would have been more expensive than the GO. But was the intent that the parking increases that would go into effect would affect the garage or was it the intent back then that it would be all parking in the center and the garages?

Mr. Van Winkle: The intent was that we would generate enough revenue for us to pay for those bonds. So that was the first intent. West Hartford center – when we were thinking about Blue Back Square, we thought well, this side of Main Street and that side of Main Street and they were going to be two different kinds of uses. And we worked hard to create those crossings so that people would be able to park in Blue Back Square and get to the center parking. And the center can get to Blue Back Square without much trouble. And we now find today that we don't have a Blue Back Square and a West Hartford center. We've got a West Hartford center. It's all one shopping. You might park on LaSalle Road and then do your shopping and end up in Blue Back Square the rest of the day. So the parking system today is really one system. For those short-term parkers, they obviously run into CVS for a prescription and then get back in their car and leave the center. So we originally thought of all this parking being able to create this revenue. On-street parking – we have on-street parking at Blue Back Square as well as in the center. And the revenues we're trying to generate here will try to equalize it because West

Hartford center has changed so dramatically in the few years that Blue Back Square has opened. It's a really active center and the revenue really is one revenue that comes from parking. So we're asking to use all of that revenue for that consideration.

President Slifka: If I might – I'm not considered judicial notice like the manager is but I do remember this and the – actually – and correct me if I'm wrong but the – I remember at the time, the initial plan was actually to impose the uniform rate at the time Blue Back opened. And there was a concern that there might be – with all the excitement going on – there might be this sudden shift where everybody would go to the “new” center and not continue to utilize the existing center. And so we wanted to create a disincentive for that to happen by giving the existing center a boost with a lower rate and then it was contemplated at some point in time when we have to make this price change, then you'd equalize them. But it was actually for those reasons we didn't want the flood of people coming here – it was actually made intentionally higher.

Mr. Phillips: And Mayor, if I may add to that, we have the data that proves the direct opposite happened. Our surface lots are performing at peak. They never dropped off. We actually give more – we give tickets for people who end-cap park and block people in. We've had a number of instances during our busiest times where the end-cap parking has blocked people from getting out of their spots. They can't make the turn to get out. We experience that activity on a regular basis. And so the performance of the surface lots are, again, if you look at the economics, because of the rates, over performing. And equalizing the rates, maybe those cars will then decide it's okay. The center works very well. It's very walkable whether I park here or there. I'm going to be able to get to my destination very well.

Councilor Hall: And so just – sort of two more comments. I like consistency but I also like to sort of align the revenue and the expenses. And I think one of the things in public safety that we see is how much money we spend on overtime on the Friday and Saturday nights for the police and public safety from all the activity in the center. But we would still have the meters stop at – earlier in the evening, well before all the activity that costs us the money happens, right?

Mr. Van Winkle: If you asked John and I, we would say the meters should be active all the time. If I go there for lunch and I pay for parking, then if I go there to have a drink at midnight, I should pay for parking. That's not a very common thing in this area. And so we're not recommending that we go beyond the hours that are there now. I would just emphasize to you that the points you're making – the parking in West Hartford center, whether it's Blue Back Square or the center. The intent of all that revenue is to pay for the costs of running a center – to pay for the paving of the roads when they need to be paved. The striping of the parking spaces. The lights in West Hartford center are on a meter and we pay those bills out of the parking fund. So when you go to the center and you have dinner, the fee you pay into the parking meter today or the kiosks in a month or so will be used to keep the center alive like it is. To repair sidewalks. To make sure that center is just wonderful, clean, successful. When we plow snow in the center and put it all in the center of the street, and then the next night, these guys come and cart all that snow out of the center, that's an expensive operation. It's paid for not by the taxpayer who owns

a home in West Hartford but by the funds we earn through parking in West Hartford center. So this is really one very big business that we're running in West Hartford center. John has done a great job with it.

Councilor Hall: And then one final – if you could just walk through our outreach efforts with the merchants in town and also sort of explain some of the benefits of the turnover because I know you know this really well and live and breathe it but not everybody does.

Mr. Phillips: Yeah. First one, the outreach, we've had two meetings, scheduled meetings, back in the fall. We had one in August and we had one in late October. We invited every merchant. We've had mailers going out introducing obviously changes coming – the kiosks – and that we – at that time we were talking about there has to be a rate change coming. Again, we talked about it at a higher-level meeting about the pro forma issues and we want to maintain the uniqueness of the enterprise fund. At that time, our resolution wasn't determined. At that point we were setting the seed. We're always open for communication. Unfortunately, the merchants group, regular meetings aren't as functional as they used to be in years passed. So as far as having that regular meeting, that regular outreach, it's been a difficult and hard challenge to get to everybody. We're confident we're getting the message out. Obviously we get comments back to us, they didn't know and were not aware. But we're 100% confident that we triplicated information out to the merchants. We're certainly confident by that because of the response we get from a very active participant with what we do and that's Blue Back Square management. They're well in tuned to what we do and they get the same information that we pitch anybody else. In my experience in 10 years, they don't want to talk about parking. We've become white noise to them. Unfortunately, within that white noise, here's an important issue that's coming and maybe people have overlooked some of the flyers or it's presorted mail that goes in this pile and not that pile. I can't attest as to why they're not receiving or we know by the contact that we are receiving from merchants that are receiving it. Somebody's receiving – people are receiving it but obviously people are choosing or just missing it somehow. And again, the benefits of it, really, paid parking is – it's an interesting concept. Parking itself is an interesting concept and Connecticut, as a whole, looks at it weird. And I say that with confidence. It's a third wheel of a transportation system yet Connecticut doesn't act fully on benefits of and the economics of managing and introducing a paid parking program or even just a regulated parking program. Take the fees away – just some sort of regulation in parking – forcing cars to park here and not there kind of a mentality. It certainly will support mass transit. It will certainly support economic development by shared-use spaces which West Hartford center, if you take it as a national planning stage and talk to national planners, we are a model of shared planning. The two surface lots that we manage, we don't own them, we lease them. And they're owned by 15 different property owners that all come into a pie, if you would. Each one owns a slice of the parking lots that we lease back from them. But we bring those lots together into one managed lot. So those spaces – if I'm a barber, my spaces are being used in the early morning so the coffee shop benefiting from the spaces that were presumable allocated to my needs for my square footage. I'm a retailer during the day. The restaurant's not open for dinner till the evening. Those allocation spaces I'm using for my customers to come in and out. I'm closed at

5:00, now the restaurant's utilizing all those spaces for their needs. We see it very actively in our garages. We see Memorial Garage is very busy during the day. Most business people coming for a business destination – an appointment with an accountant, a lawyer, a doctor. Memorial Garage activity is always very robust. At night, that changes. Memorial Garage really slows down and settles down and the Isham Garage becomes the hopping place because that's the destination – that's the garage the transient parker sees coming into West Hartford center and they go to park there for their dining and restaurant or retail needs that they do at night. So we see it as a model of planning – urban centers and downtown areas – we see it playing out every single day. And so the economic benefit is that shared space is working. It works well because we also apply it to a rate structure. So the management of it is a lot less. We manage it through technology and cashiers and economics versus putting somebody on the street and just walking the street every two hours chalking a tire – oh, this car must move or a large parking lot, just allowing it to overflow and not regulate it and you run into a number of traffic issues and problems there. So that's the benefit of using economics to a regulated the parking system. And one square mile, again, with 70,000 – we're solid with that number. That's what we know park off street. It's unquantitative how many times a space turns over. We think three or four times a day at our best spots. So we could add maybe 10 or 15,000 cars to that 70,000 of cars that come in and out of the center on a regular basis throughout the month for 2,500 spaces.

Councilor Hall: Thank you.

Mr. Phillips: You're welcome.

President Slifka: Thank you, Ms. Hall. Mr. Davidoff?

Councilor Davidoff: Thank you. John, I guess if one wanted to look at it a different way, the alternative to what we're proposing would be – we would be extending the hours or the days or the area that we would charge for parking because that would be another way to raise the revenue. So what's interesting to me is what we're not doing. And I want to highlight that. We're not extending the hours past 10:00 and as the manager mentioned, we could. There's other areas in the country where it runs 24/7. We are not extending the days of paying the meters past six days a week. We could. Some places do charge on Sundays. Sunday has proven to be a very busy retail day but we're choosing not to do that. We're choosing not to increase the geographic area of the meters, other than Burr Street which abuts the town hall property. And when you go to other commercial centers, you will notice that the geographic area abutting a center is probably wider or that more vast in scope than here in West Hartford. We're not eliminating the first 30 minutes in our surface lots. Yes, if you park 31 minutes, you'll have to pay for those 30 minutes but that 30 minutes or less, you're still free. So we're not making that change and as Councilor Captain mentioned, currently, we're not eliminating the library validation but we're going to look at that. And what's most important what we're not doing is we're not going to the taxpayer who doesn't use the center to pay for the parking and the parking center improvements the center improvements and the maintenance and everything else. And when you weigh the two alternatives that we could have taken and the course of action we could

take this evening, I think the things that we're not doing are – far outweigh what we are doing and the price we're going to pay. So I know that this is a difficult decision for you and for my colleagues but I think it's the right decision. As the fiscal note notices – we anticipate probably another \$700,000 in revenue by going this route. And what's great about this whole council being involved in this parking this is if things don't work, we can tweak it some more. And that's what we're doing. And should we get in a situation where we find that we're overcharging our users, we can always roll with things back. But that's not the case today. The case today is we need to meet the obligations that were incurred for the debt service on the bonds and I think it's incumbent upon us to meet those obligations. And this will ensure that we're able to meet that obligation by those who use the service being offered. And the service being offered this evening is parking in West Hartford center. So I thank you for your description and your hard work in explaining everything here. But what's really important to me this evening is all the things we're not doing to accomplish this result this evening.

President Slifka: Thank you, Mr. Davidoff. Anyone else? Okay. Thank you, Mr. Phillips, again. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Okay, we are up to #17, Mrs. Cantor.

ITEM #17: RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 1241, FOR A PERIOD JULY 1, 2012 THROUGH JUNE 30, 2016.

ADOPTED

WHEREAS, a tentative agreement has been reached with the IAFF, Local 1241 which represents members of the Town of West Hartford Fire Union; and

WHEREAS, this agreement contains articles that are in conflict with various ordinances, rules and regulations of the Town of West Hartford or require funding to implement the agreement;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of West Hartford that the tentative agreement with the IAFF, Local 1241, Fire Union is approved and the Town Manager is directed to execute and implement such agreement

Councilor Cantor: I move that we adopt.

Councilor Kindall: Second.

President Slifka: Motion has been made and seconded. Welcome, Mr. Ledwith. I guess this would be the biggest thing we deal with in one evening and we're starting at 10:00 as a reward to you for your hard work.

Mr. Ledwith: Good evening, everyone. Before you for approval is the ratified agreement between the Town of West Hartford and the West Hartford Fire Union. And as you do know, this agreement was ratified by the union two weeks ago. And before we walk through the highlights of the agreement, I thought we would take a moment just to update the – walk the council through the process that's evolved over the last 18 to 20 months as the current agreement expired on June 30, 2012. And at that time, both sides sat down and we both agreed to a different type of negotiation process at that time. Typically – the typical negotiation process starts with developing proposals, presenting those proposals, establishing conditions, and then the back-and-forth occurs. With this process, we started by talking about issues that were important to us – things that we needed to – that were important to us and that we wanted to talk more about, without necessarily getting right into establishing positions. So we spent the first six to eight months working with the union, talking about those issues that were important to us like wages and healthcare and pension and the impact that all of those issues were having on our community. And those talks evolved and ultimately began looking at a framework of a contract that looked at wage reform and pension reform and healthcare reform. And to the union's credit, they were very willing to engage in those types of conversations and that back-and-forth and interestingly enough, those issues that we looked at as our issues, as management issues and taxpayer issues, became their issues, as well. So it was a collective issue so it was an interesting start to that process. Ultimately, those interest-based discussions moved to a more formal process and at that point, we become more engaged in that negotiation process. And at times, there were bumps in the road and there were times that we were more focused on past grievances than we were on future concerns and solutions. And can sometimes happen, we hit a couple of roadblocks and there was a point in the process where both sides weren't willing to move anymore. So we began the arbitration process and that process involves both sides arguing their positions to an arbitration panel. And that panel consists of three individuals: a neutral arbitrator, a union arbitrator, and a management arbitrator. And it's a very time-consuming process. It's a very expensive process. Your hope going through that type of process is that they will hear your argument more so than they may hear the union's argument. And ultimately, this panel of three decides what the town can and cannot afford. So it's a risk for us and it's a risk for the union. But it was during that arbitration process that we had met with the panel, we had set hearing dates. So in between that first meeting and our first hearing date, we started to have some more conversation. And at that point, we were engaging in some back-and-forth and we kind of put aside our differences that moved us towards arbitration and talked more about those interests that we had talked about collectively a year earlier about and the conflict, we kind of put that conflict behind us and talked about transforming the future – not just as it relates to healthcare, wages, and pensions but also about potentially better ways we might be able to deliver public safety in our community. So it was – at that point, through those kinds of conversations, we were able to come to this agreement that's before you for your approval. So it's an agreement that addresses all of our issues and concerns. It addresses wage reform. There

is significant healthcare reform in this contract. There is significant pension reform in this contract. It's an agreement that's going to yield significant savings to the community in the years ahead. And it's – in total, we feel that this agreement is a better agreement than we would have gotten through arbitration and I'll go through the details of the agreement. There are some components of this agreement that we were confident we would have achieved in arbitration but in total, I don't believe we would have ended up with the agreement that we have before you this evening. So at this point, I'd like to walk us through the highlights of that agreement and then we can turn it over to the council for questions if that's reasonable. We'll start with a wage package. It's a four-year contract. So it goes retroactively back to July 1, 2012. And the wages call for a 0% wage increase. So a wage freeze in the first year and then 2% increases in each of the next three years. In terms of how that stacks up to our comparables around the state, the average increase back in 2012 for a public safety police or fire department of comparable size to West Hartford, the average increase was 1.74%. And then in the last year of that agreement, the average increase is at 2-1/2% increase around the state. So this wage agreement is below average. We're confident that we would have achieved a wage freeze in arbitration and it's likely we probably would have won a second year, as well. So we'd probably be looking at zero plus a two. But the union could have prevailed on those other two years, as well. The arbitrator could have split the baby – we would have won two, they would have won two. We may have been looking at something that was a little bit above 2%. So we feel this is a fair agreement for the union and it's a fair agreement for us. We also have some significant pension changes in this agreement. We are increasing the contribution for all employees, up 1/2% a year for four years and probably the most significant piece of this settlement is for employees hired after the date of signing or after the ratification this evening, we're going to change the multiplier for new hires from 2-1/2% times their years of service to 2% times their years of service. And in addition, there's no overtime built into that calculation, as well, for new hires. As many of you may be aware, we're short 14 individuals right now. So sometime over the next several months, we'll begin filling those positions. So 14 of the 80-plus firefighters would be covered under this new agreement within the next several months. So our pension contribution will increase 33% over the next four years. We'll have a 25% reduction in the multiplier for new hires. And we're looking at an approximate 35% reduction in liability for new hires in the pension plan which is significant. We did take the last nine retirees and recalculated their pension under this new plan. And we would have saved about \$320,000 a year in pension payments. So this is a significant change and one that we appreciate that the union met us on. In terms of healthcare changes, again, significant changes here. We are implementing a high-deductible health plan for all firefighters effective January 1, 2015. Everybody will go into a high-deductible health plan. We've been implementing these types of plans with all of our unions on the school side. On the school side, it's been more of an option than it has been a full takeover. So this would be the first group where we've done a complete, full takeover of the high-deductible health plan. So our individual deductible will be \$1,500. Family deductible will be \$3,000. And the town will fund 75% of that deductible in the first year, 65% in the second year, and 50% in the third year and beyond. This is – these are the types of plans that are going to help us control healthcare costs. This plan is going to save us 15 to 20% of our healthcare costs for our firefighters. So it's the type of plan that we need to start looking at aggressively with all of our groups, especially as

we head towards 2018 and we're looking at the potential of the Cadillac tax being implemented. We're confident that this type of plan with our firefighters existing with everyone is going to allow us to avoid that type of tax in the future. In addition, employees hired after the date of signing, so those 14 folks that we would end up hiring over the next several months, they will pay a higher percentage of their healthcare costs. So they will pay – right now, existing firefighters pay a percentage of their salary and going forward, new hires will pay a percentage of the premium. And that amount will start at 12% a year and increase up to 15% a year over four years. In addition, employees hired after the date of signing will pay a higher percentage for their retiree healthcare. They'll contribute 25% of the cost of their healthcare for life. So right now, a current firefighter pays a percentage of their payroll while they're an active employee. And then they don't pay anything in retirement. So these new hires will pay a percentage of the premium for life. So – and that's also a change – a lot of our other unions, which we'll aggressively be pursuing, stop their contribution at Medicare eligibility. Our costs significantly decrease at Medicare eligibility but so does their premium cost share. With this, they're going to contribute, as long as they're covered under our plan, they are going to contribute to the cost of their retiree healthcare. So that will help us to reduce the liability on our retiree healthcare obligations. Sick pay at retirement, again, for those hired after the date of signing, we're reducing that benefit which, right now, stands at a maximum of 170 days down to 30 days. So existing retirees had been collecting anywhere from \$35,000 to \$95,000 in today's dollars. Under this new plan, they would get \$6,500 in today's dollars. This is the type of thing that we've been going after in our other unions pretty aggressively and we're looking at a complete elimination of this benefit but this is something that we weren't confident that we would get in arbitration. So in arbitration, the union probably would have come down a little bit lower than where they are now. We would have been holding pretty steady at the number we were at and we were likely to have lost that in arbitration. Then there's a couple of operating issues included in there, as well. Right now, we do provide a CDL paid training for all firefighters. We'll hold one more class and then eliminate that benefit altogether. And then we have some language built in there, as well, to help us in the event that 2011 happens again or there was a hurricane last year and we're opening up the emergency operation center. We're going to have language in there that's going to allow the firefighters to be at chief's side during those types of events which is important for the community. So that highlights the major changes of the agreement. I'd like to thank a number of people for their help in this process. I'd like to thank my staff, Pat Morowsky, Nelson Petrone, Chief Allyn, Assistant Chief Sinsigalli, Assistant Chief Winn. And more importantly, I'd like to thank the union for their help in this and their support through this whole process. And as I talked about – you'll see there's not a lot that they're getting in this agreement. And when I talked about this being an issue-based, interest-based type of negotiation, right out of the gate, it became – our interests became their interests. And they really stepped up to help the community. So we have an agreement that, again, addresses all those major issues and I think they deserve a lot of credit. So I thank Kerry Warren, the president, John Griffin, Dave Walker who are here this evening. Adam Pechako, Troy Shipley, probably missing a few other people, as well. Joe Robido. So I thank all of them and I'd be remiss at not thanking our public safety committee. I've been meeting with these folks once a month and your input in this process has been valuable, as well. So Councilor Captain, Mayor

Slifka, Minority Leader Hall, and Councilor Doar, I thank you all for your help through this process, as well. At this point, I'd turn it over to you folks for questions.

President Slifka: Thank you, Mr. Ledwith. Mr. Captain?

Councilor Captain: Thank you, Mr. Mayor. At this point in the evening, I'll try to keep it brief. A couple of things that you said, Rick, that I totally agree with. This is both fair for the union and it's fair for us as a town. It was really, really critical for us as a public safety committee as well as a group of councilors – we were all pretty much in locked step when it came to – we needed to see reforms in pensions and reforms in healthcare benefits. And to the point where we said you have to go to arbitration. We can't work this out. And I'm glad to see that collectively we got those things. We got adjustments that were lower on long-term liability for pensions and that will reduce our healthcare benefits – our two highest growing expenses that we have. While at the same time, preserving a very good plan for our employees that is better than many of plans that people sitting around this table have. So we appreciate it. We appreciate the membership and leadership for ratifying it. We appreciate the work that you put into it, the work that the manager put into it, and the occasional input that the mayor came to the table and assisted with at certain points in time. So thank you very much.

President Slifka: Thank you, Mr. Captain. Mrs. Hall?

Councilor Hall: First of all, thank you, Rick. I know you have put in an unbelievable amount of hours to this process. So I just want to really thank you for that. Back in August 2010, I had written a letter to the West Hartford News to kind of update residents about the state of our pension and the cost of our healthcare benefits. And back, as of July 2009, our unfunded pension liability was over 100 million dollars. Now, as of July 2013, our unfunded pension liability is over 200 million dollars. So – and that's brought our funded status down to 41.3%. And I know a lot of that increase was due to some of the accounting changes that we put into place, lowering the discount rate on the return assumption, looking at the mortality table and bringing that to a – more up to date to reflect the longer lives that people are living. And also just really, really scrubbing the plan so that we understood exactly what our population in the pension was and the true cost of all those. So we also have the unfunded OPEB liability – the other post-employment benefits which is the healthcare for the retirees which is a 108 million or thereabouts in unfunded. So all together, this council has to figure out how we're going to deal with unfunded liabilities of 312 million dollars. So back in that article that I wrote years ago, I said the most important steps that we can take as elected officials are to enact a pension reform and reduce healthcare costs in order to protect our educational system and continue to provide the town services that we all value. So I've been advocating in public safety with this whole council as I know all of us have been focusing on this problem. And in a lot of ways, we are stymied by the whole process of collective bargaining and arbitration and rules that are set by the state as opposed to here in town that lets us govern our own contracts. And this firefighters' contract is the first one on the town side that's really come up since I've been in this position. So I guess what I really want to say is that this contract is exactly the kind of reform that I was talking about

years ago and it's exactly the steps that we have to take to address that unfunded pension liability. And get us to a place where it's not getting worse. And I think while the contract – I'm never going to say it's perfect and it's not necessarily going as far as I would like. I think it is a huge step forward and I very much want to thank our firefighters for being willing to help the town address this problem, for recognizing the financial burden that it's placing on our residents. And stepping up to the plate and working together with Rick and the town to say what can we do to do this. And I mean, Rick, I think you walked through a lot of the financial benefits that are going to help us do our job in the future. The healthcare, I think everybody's sick to death of hearing about the costs of the rising healthcare. I will say, in case it helps anyone out there, I've been in a high-deductible plan for years now with that HSA account and I love it. And we're not all models of perfect health in my family so it works and I think you've come up with a good plan to help some of the objections that people first say – geez, how am I going to come up with that initial high-deductible and you've worked towards helping them in case something happens. And the town is helping in that and that's exactly the model that we see in the industry – making sure that you help people in the beginning. Now I've got thousands I've saved – I never go anywhere near – and that's money we keep and can invest and it rolls over year after year. So if you ever need anyone to talk to everybody about how great it is, sign me up cause I think it's the greatest thing out there. So I am going to support this and I am really thankful that we've gotten to this place with a contract. I am excited about the opportunity to bring a lot of our other union contracts to get to the same place with this. Also I know I want to thank the town manager for all of his efforts, as well, and all of his long hours going into it. And I appreciate it and thank you guys. And I also want to just publically say again all the firefighters do a great job and we have had occasion to call on your services a few times and you've always been great. So thank you.

President Slifka: Thank you, Mrs. Hall. Anyone else? Mr. Barnes?

Councilor Barnes: Thank you, Mr. Mayor, and thank you, Rick. Thank you to the firefighters, the town manager. To me this contract reflects a step in the right direction. As highlighted in this year's budget a significant portion of the increases in our budget are directly tied to pension and healthcare costs. And as we go forward, if we continue to have those large increases attributable to those factors, we're going to end up paying for salaries and benefits and long-term obligations and we're not going to have schools and everything else that goes along with living in our town. So, like I said, the contract starts to address these issues – moving towards a high-deductible health plan is a great start. Eliminating the ability to spike for new hires is a very important, as well. And while these contracts might not be in line with what would be on the private side, the private sector, certainly, with me personally, it is a step in the right direction. We have a lot more work to do but I'm pleased with the direction we're headed. And so I will support the agreement, as well. Thank you.

President Slifka: Thank you, Mr. Barnes. Mrs. Kindall?

Councilor Kindall: The hour is late and if this was done at 8:00, you'd be there for another three hours, Rick, as everybody would congratulate the world. But I'll – so I'll keep short. With Harry, we both have the experience with you negotiating teachers' contracts and so we have – but they have deadlines which, in some ways, I think, must be a blessing. And I have to say I can't tell you how impressed I am with both you and with our firefighters that you were able to be at the brink of arbitration – really hadn't started the arbitration process – and were able to step back from that sort of ramp-up and say wait a minute, can't we talk about this and we'll reach an agreement. In arbitration, everybody loses. I mean that's why they call it arbitration. I imagine they should call it everybody loses. And to say that both sides were able to step back and say no, we can do better than sort of having sort of random wins and losses on things that don't sense as a whole – I think really you have to take a lot of credit for and be commended for. And I also will say I'm personally just very glad that the negotiations are over. I think that having such lengthy negotiations has not been good for our relationships with our firefighters. And as the sister of two firefighters, I have a personal – I get a fair bit of grief from my brothers about when they think it's going to get in line here and be able to move on. And so I am personally very glad to see that the contract is signed and it's been ratified. I will certainly be supporting but I also have to say congratulations on the process because I know from personal experience it's not an easy process. I guess the big advantage of being on town council is they don't make us sit in on those negotiations whereas on the board, you had to. But I think that for all sides, congratulations on a job very well done.

President Slifka: Thank you. Mrs. Casperson?

Councilor Casperson: Yes, thank you, Mr. Mayor. I, too, have been looking – we've all been looking at this process going on for – it feels like years now. Just in having the dissatisfaction of both sides and wanting to come to some resolution. And I really just want to thank the committee and town leadership for being able to persevere through this and to be able to come to an agreement with the firefighters because, again, we're all on the same team for public safety and you want people to feel like we do appreciate the job that they do because we do. But we really also have to be mindful of what they're costing the town and really mitigating our costs going forward in the future. So I think that it's very important and I really am very excited that we are at this point. And with the late hour, I will keep my comments short. But thank you.

President Slifka: Thank you, Mrs. Casperson. Mr. Davidoff?

Councilor Davidoff: Thank you, Mr. Mayor. It's an exciting evening when the minority party and the majority party agree on a labor contract which is usually an issue of contention during a political campaign. And that's due to the efforts of the firefighters' union and our management team for executing an agreement which is agreeable, I guess, to all parties. And it's often said nobody gets everything they want in a good contract and I think that that's the case here. And I heard some of my colleagues say this is a great first start. Others say it's been a long journey. For me, it's an action and it's an action to do something and we've done something. And I think that's the significant part of what we're doing here this evening. So as a member of this body for

the past six years plus, and as one who's sat through numerous negotiations but not this particular one, and have seen the issues that have risen to the top, I think it's fair to say, and I'd like to publically state again, that this council is quite cognizant of the issues that drive our budget year in and year out. And we don't sit on our hands and do absolutely nothing. And that this is an affirmative step in the direction that will preserve the fiscal integrity of our town. And I think that's key to the management that we have and the management team that we have and with the respect that we show the people who are in our employment. And constantly we hear people say negative things about various people or departments that are employed by our town and it just makes me quite angry to hear those type of accusations and remarks that I know are truly unfounded. And if I thought that our employees weren't worthy of the benefits and the terms that were before us, I don't think we would offer them nor would we employ people who weren't qualified to do their jobs. But tonight just basically highlights that we do have a workforce that's ready, willing, and well qualified to meet the needs of our residents and we as a town council recognize those efforts and this evening, I will definitely strongly support the negotiated settlement that has been reached between the parties. Thank you.

President Slifka: Thank you Mr. Davidoff. Mrs. Cantor?

Councilor Cantor: Thank you. Again, it's very late so I will be brief. I just – the challenges that have been facing the finances of this town, again, we are extremely well aware of and we've been very – it's been a long – many of these issues have been issues that have developed over a very, very long period of time. It is going to take us a long time to sort of right the ship, as I think the mayor has said before. And we need to fix things as we go. There's no question that we have to make these changes. This actually is a C change and this is a unique situation in the state. I think Rick really has done something that is going to be a leader throughout the state and he is going to be looked at as a real model of what to do. We have, I think, reached a true partnership with this union to say we're all in this together. And I'm so appreciative of the fact that we've got there. I really feel that at some points, we were not on the same side and that is a horrible feeling to have with your – one of your most valued unions and most valued employees of your town. And we really made an incredible effort over the years to talk about why we need to make these changes and we really came to a mutual understanding. And I'm really looking forward to many, many years of a wonderful partnership. And I want to thank Harry for his leadership and Scott for his leadership and Rick for all the work you've done and the town manager and Denise for her participation and leadership. And the unions for being incredible partners in this process. So I really appreciate it and I will support this.

President Slifka: Thank you, Mrs. Cantor. I only have about 40 minutes of remarks. But I will do my best to keep it really brief. I think it's – I thought it was particularly appropriate that one of the big headlines this morning was the firefighters in West Hartford successfully battling a major fire and containing it over at Colt's because it – at least in my mind, allowed us to get back to what's real, which is that we should be talking about that we have a fantastic fire department comprised of fantastic firefighters and to not have anybody, including people at this table, have that opinion clouded by the labor negotiations. And we're past that and I'm very happy about

that. Everything has been said so I won't really go into it except probably to just say the thank yous to Rick and your team. It's been said but we are not there every time but I have joined for a few of the late-in-the-day, late-in-the-night sessions and know how often you're doing that and how often you're doing shuttle diplomacy and stuff on the phone and going well beyond, I think, the hours that a stereotypical public employee is doing. I think anybody attributing that to this group should just watch you work and know that's absolutely not the case. And the result bears that out and we couldn't have more faith in you, I think, than we do right now, Rick. And that extends to the manager, as well. To my colleagues and on public safety, I think the important lesson here for us is that we've been – go back to the timeline on this, we've been united on it from the very beginning. And as we were having – this was not easy. We're saying a lot of happy things tonight and I'm thrilled we are but it took a long time to get here and there were some real rough patches. Rick, you did a remarkable job of sort of glossing right over those but – and I'm not trying to reopen them – I'm just saying this was a lot of hard work on both sides. And I commend Harry for bringing the committee together and for Denise being a partner in that because I think it was very important for us to always be able to explain – not just to the members of the union, but to our residents – look, this is how we feel. And to those that were ascribing different motives to the lack of a result for all this time, that was able to clear a lot of that away and I think eventually get us down to the issues. And that was not without hard work on our side. And then I would say a huge thank you to the union, and particularly to Kerry Warren for his leadership. I think the deputy mayor said it very well that we feel – at one time, we didn't feel like we were on the same page and today we feel like we have a real partnership. And that was – it took a lot of understanding on both sides, a lot of phone calls, and a lot of – I know some of the things I was participating in and lots of talks over coffee and things like that to understand basically that – where we were coming from. That this was – we really had significant concerns, as many people have outlined today, what this would do to the community. And it wasn't to pick on any group of employees but this is the contract we had up, this is the one before us, and it was the one that had the most significant challenges in it. And we just knew it couldn't continue and we got a fire department that came around to that view and understood the position we were in and then said – what I'm most excited about this is not the deal in and of itself, it's the spirit of partnership that now I know we have – we have a group of public employees who have identified how they can – and have been, I should say – reinventing themselves for the 21st century. And how they're going to be a greater asset to this town going forward and this is not about just keeping the fire department as is – having a good deal. This is about having a deal that's affordable for the community, that's fair to the firefighters and also empowers them to become something much more than they even are today. And what they are today is very good. So I know it was a lot of hard work, Kerry, and we can't thank you enough for that. And I really look forward – I know along with Harry and others – to now transitioning to our public safety discussions being about how we can together provide better services for our community – keeping people safe and not be having to focus 90% of our attention on the fiscal issues. And you see what a great result that could be for the town through this. But thank you to all. It took a long time. I think Rick and I are the only ones left from the previous fire contract and so we knew how long this could take. Even with that, it was kind of amazing that we got to this – it took to get to this point – but that we even got to this point at all. So I'll stop now and

just say I enthusiastically support it and I'm really looking forward to working with you guys in the future. If there's nothing further then can we have a roll call please, Ms. Labrot?

Councilors Barnes, Cantor, Captain, Casperson, Davidoff, Hall, Kindall, and Slifka voted YES.

President Slifka: Yes. Thank you. That got us through the new items. Harry just got up. Oh, okay. I was actually planning on skipping them given the late hour. You want to go ahead, Mrs. Casperson?

Council Casperson: So it's late so I'd Rather Be Dancing but that opens at the Playhouse on Park on April 2-13. The popular song and dance extravaganza is back. The 2014 production by Stop Time Dance Theater I'd Rather Be Dancing marks the return of the annual crowd-pleaser that features the resident dance company at Playhouse on Park. Conceived, directed, and choreographed by artistic director, Darlene Zoller. I'd Rather Be Dancing is a guaranteed night of entertainment, full of dancing, singing, and live music. I'd Rather Be Dancing runs April 2nd through April 13th. For more information, times, and tickets, visit www.playhouseonpark.org or call 860-523-5900 extension 10. Again, you don't want to miss it.

President Slifka: Thank you, Mrs. Casperson. Will you ask the manager to keep it down? Okay, Joe, we need a report from the corporation counsel.

ITEM #21: REPORTS OF CORPORATION COUNSEL

Mr. O'Brien: I don't have a formal report but I'm very pleased to announce that we don't need executive session tonight for the first time in three meetings. So I'll be happy to answer any questions you might have.

President Slifka: Thank you. Joe. Any questions for Joe? Okay. Thanks. Okay, we have appointments. I'd like to entertain a motion to suspend the rules to accept a resignation.

Councilor Cantor: So moved.

Councilor Kindall: Second.

President Slifka: Motion's been made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. So I'd like to entertain a motion to accept the resignation of Jason Giulietti and what board...The board of assessment appeals.

Councilor Cantor: So moved.

Councilor Kindall: Second.

President Slifka: Motion's been made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Note, we have a letter from Jason. We thank him for his service but his job – very busy – his job has kept him from serving in the capacity he wanted to so he reluctantly had to step down. Okay, now we have several appointments, I believe.

ITEM #22: APPOINTMENTS

Councilor Cantor: I make a motion but we'll move the appointments together if that's okay. Appoint Patricia Farrah to the library board for term ending 12-31-2018. Appoint Richard Roberts to risk management board, term ending December 31, 2014.

Councilor Kindall: Second.

President Slifka: And more?

Councilor Kindall: Oh, sorry.

Councilor Cantor: Also I'd like to move that we appoint Timothy Matson to the board of assessment appeals for a term expiring on December 31, 2016.

Councilor Barnes: Second.

President Slifka: Okay, that's all? Those are the two?

Councilor Cantor: Yeah.

President Slifka: Okay. No, the whole thing got seconded. Chris seconded the whole thing. So, okay. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. No need for executive session. Gosh, we're going to get out before midnight. Maybe I'll bring those announcements back. Okay, consent calendar, #37.

ITEM #37: CONSENT CALENDAR

ADOPTED

ITEM #16: RESOLUTION AUTHORIZING THE TOWN MANAGER TO APPLY FOR A GRANT IN THE AMOUNT OF \$16,400 UNDER THE OFFICE OF POLICY AND MANAGEMENT'S REGIONAL PERFORMANCE INCENTIVE PROGRAM

WHEREAS, the Regional Performance Incentive (RPI) Program was established to encourage municipalities to participate in regional projects with neighboring municipalities that produce measurable "economies of scale", provide desired or required public services, and lower the costs and tax burdens associated with the provision of such services, and

WHEREAS, the Office of Policy and Management (OPM), which administers the RPI Program, has established as a priority the connecting of municipal/regional central administrative facilities to the Nutmeg Network, a statewide fiber-optic infrastructure that improves upon and expands the availability of high-speed networking and consists of the Public Safety Data Network and the Connecticut Education Network, and

WHEREAS, the Town of West Hartford is interested in submitting a proposal under the RPI Program to relocate its connection to the Nutmeg Network from Town Hall to the West Hartford Data Center (the Gemini Building) at a cost of approximately \$16,400,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of West Hartford that the Town Manager is hereby authorized to submit a grant proposal to OPM, as detailed, under the State of Connecticut's Regional Performance Incentive Program.

ITEM #18: RESOLUTION TO APPROPRIATE \$28,600 IN THE FISCAL YEAR 2013-2014 WESTMOOR PARK FUND BUDGET FOR THE REPAIR AND IMPROVEMENT OF PARK FACILITIES.

WHEREAS, the Westmoor Park Fund was established to account for the income and expenditures necessary to operate and maintain Westmoor Park, and

WHEREAS, there are several buildings located in the Park which require on-going maintenance and periodic improvements, and

WHEREAS, the Hunter House – the former home of the Hunter family – is in need of certain improvements including replacement flooring, painting and window replacement, and

WHEREAS, there is sufficient fund balance in the Westmoor Park Fund to finance said improvements,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD that fund balance in the amount of \$28,600 be appropriated in the Westmoor Park Fund for the purpose of maintenance and improvements of the Westmoor Park facilities and the fiscal year 2013-2014 budget of the Westmoor Park Fund is hereby amended as follows:

Estimated Revenues

21-401400-40141-9399	Westmoor Park Fund Balance	\$28,600
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Appropriations

21-401400-40141-2256	Maintenance Repairs & Improvements	\$28,600
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ITEM #19: RESOLUTION APPROPRIATING \$2,500 IN THE DRUG ENFORCEMENT FUND FOR THE PURCHASE OF PORTABLE BREATH TEST DEVICES.

WHEREAS, The West Hartford Police Department routinely makes arrests for driving under the influence (DUI), and

WHEREAS, the use of a portable breath test device (PBT) is becoming a standard tool in the investigation of suspected DUI investigations and allows for an initial breath sample to be obtained on the street rather than inside the police department, and

WHEREAS, this tool increases the probable cause for an arrest, allows the officers to know earlier in the investigation to use a drug test kit in lieu of a breath test and reduces the chance that a driver will be arrested who is not DUI, but rather tired or suffering from some medical condition, and

WHEREAS, the department would like to utilize \$2,500 from the Drug Enforcement Fund to purchase these devices, a permissible expenditure under the guidelines regulating these funds,

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD authorizes the purchase of two portable breath test devices and hereby amends the fiscal year 2013-2014 budget of the Drug Enforcement Fund as follows:

Estimated Revenues

20-220304-20406-9399	Drug Enforcement Fund Balance	\$2,500
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Appropriations

20-220304-20406-2103	Minor Equipment	\$2,500
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ITEM #24: FROM TOWN PLAN AND ZONING RE 1445 NEW BRITAIN AVENUE – RECOMMENDING APPROVAL.

ITEM #25: FROM TOWN PLAN AND ZONING COMMISSION RE: ORDINANCE CONCERNING MEDICAL MARIJUANA PRODUCTION FACILITIES AND DISPENSARIES – RECOMMENDING APPROVAL.

ITEM #26: FROM DESIGN REVIEW ADVISORY COMMITTEE RE 1445 NEW BRITAIN AVENUE – RECOMMENDING APPROVAL.

ITEM #27: FROM DESIGN REVIEW ADVISORY COMMITTEE RE 668-674 FARMINGTON AVENUE – RECOMMENDING APPROVAL.

ITEM #28: FROM CAPITOL REGION COUNCIL OF GOVERNMENTS RE: 1445 NEW BRITAIN AVENUE – FINDING NO APPARENT CONFLICT WITH REGIONAL PLANS AND POLICIES OR THE CONCERNS OF NEIGHBORING TOWNS.

ITEM #29: FROM CAPITOL REGION COUNCIL OF GOVERNMENTS RE: ORDINANCE CONCERNING MEDICAL MARIJUANA PRODUCTION FACILITIES AND DISPENSARIES – FINDING NO APPARENT CONFLICT WITH REGIONAL PLANS AND POLICIES OR THE CONCERNS OF NEIGHBORING TOWNS.

ITEM #30: FROM TOWN PLAN AND ZONING COMMISSION RECENT PLANNING ACTION: 668-678 FARMINGTON AVENUE, 60 LASALLE ROAD, 526 NEW PARK AVENUE, 138 (AKA 132) PARK ROAD, 188 WESTMONT, AND 134 NORWOOD ROAD.

ITEM #31: FROM INLAND WETLAND AND WATERCOURSES AGENCY RECENT PLANNING ACTION: 188 WESTMONT.

ITEM #32: MINUTES FROM WEST HARTFORD CENTER SPECIAL SERVICES DISTRICT 3/11/14.

ITEM #33: MINUTES FROM ADMINISTRATION AND TECHNOLOGY COMMITTEE 3/11/14

ITEM #34: MINUTES FROM COMMUNITY PLANNING AND PHYSICAL SERVICES COMMITTEE 3/10/14

ITEM #35: MINUTES FROM FINANCE AND BUDGET COMMITTEE MEETING 3/10/14

ITEM #36: MINUTES FROM PUBLIC SAFETY COMMITTEE 3/7/14

Councilor Cantor: I move that we adopt.

Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries.

ITEM #38: COMMUNICATIONS

ITEM #39: PETITIONS

President Slifka: No communications. No petitions.

ITEM #40: ADJOURNMENT

President Slifka: I'd like to entertain a motion to adjourn.

Councilor Cantor: So moved.

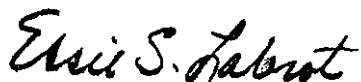
Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're adjourned. Goodnight.

Meeting Adjourned at 10:40 p.m.



Essie S. Labrot
Town Clerk/Council Clerk

APPROVED AT MAY 13, 2014, TOWN COUNCIL MEETING

ESL/kc